Between the Liberals, whose chief was Lord Rosebery, and the Socialistic Radicals, of whom Mr. Labouchere is the most prominent, there is a visible chasm. Both these sections voted the other day against the Irish Home Rulers on the vital question of national education. On that occasion the Irish Home Rulers showed that, connected as they are with the priesthood, they can hardly be called Liberals; while of the Liberals, three-fourths, probably, in their hearts wish Home Rule at the bottom of the sea. There is nothing like the sharp bisection of political opinion which there was in the old Whig and Tory days under the early Georges, or at the period of the French Revolution.

To supply a sound and moral basis for party government you must have a clear and permanent bisection of political opinion. Without this the existence of the parties can be sustained only by a Shibboleth or by corruption.

Switzerland seems to get on with representative government and without party organization. Her method deserves study. But her politics are more cantonal than federal, and as a whole they are on too small a scale to furnish a precedent or assurance for the great nations. It can hardly be said, therefore, that by her the problem has been solved.

Let it not be supposed that when a political problem is recognized as likely to call for solution a despondent view is taken of the political situation. The intelligence requisite to furnish the solution has probably been sharpened by exercise under the party system, as well as instructed by a vast and varied experience, garnered and methodized for us by political observers. Of public spirit and aptitude for self-government there is now far more in the world than ever there was before. If we do not at present see the way, the way will surely be found. The course of history is something like the path in the Gemmi Pass, which always seems to be blocked, but still, as we approach the obstacle, opens out again. Party government had its source in the issue between the Hanoverians and the partisans of the House of Stuart, an issue momentous, indeed, yet not inexhaustible. One can hardly imagine any thoughtful man being devotedly attached to it, or despairing of our political destinies because it seems to be near its end. Yours faithfully,

GOLDWIN SMITH.

TORONTO, May 10, 1897.

THE SENATE AND THE TARIFF BILL.

THE Senate of the United States, proceeding with traditional and wholesome care to the perfecting of the Dingley Tariff bill, has once more aroused the impatient protest of a restless people. We hear much of "the mire of debate"; we listen to low rumblings of discontent because of slow and aggravating deliberation. These complaints have been uttered before, and their recurrence at this time is neither novel nor surprising. The swiftly moving world looks with scorn upon methods that have the misfortune to possess the flavor of the last century. It demands speed, even though thoroughness be sacrificed and though justice and right be crushed beneath the Juggernaut of unreasoning and senseless haste.

In this especial instance, however, there are other factors at work beside the impetuosity of the times. A country depressed, a nation suffering from a prolonged period of commercial inactivity, a vast army of idle workmen waiting eagerly for the resumption of industrial pursuits, a political party

anxious to restore the prosperity it has so confidently predicted—all these and more appeal for prompt action on the pending measure in the belief that it contains the germ which shall develop into much-desired fruit. So now, as when in days gone by public sentiment was wrought to an exited pitch, there is a feeling that the Senate should be forced to hasten. Its complacency only irritates and annoys. The very indifference which it manifests to public clamor stimulates and intensifies the chorus of public disapproval. There would be some ground for this impatience if the much-abused system of unlimited debate had operated to the detriment of the country. On the contrary, its existence means the endurance of one great safeguard of the republic and its preservation is of more importance than the passage of a thousand tariff bills combined. To the thinking mind there is also cause for suspicion as to the propriety of changing the rules of the Senate in the very fact that the pressure therefor is most pronounced in times of partisan strife and public excitement. A movement which culminates at the height of passionate feeling is not, we suggest, the safest thing to be crystallized into law.

The Senate being a deliberative and not a purely legislative body, it very properly has no recognition of the previous question, the parliamentary method of forcing a vote. A Senator can speak whenever he pleases, as often as he pleases and as long as he pleases upon any pending proposition and no agreement to take a vote can be reached until unanimous consent has been given. This has not always been the case. There was a time in the very earliest days of the Senate when the previous question had its place, but, like the fig tree of Biblical story, it bore no fruit, withered and was cut down. The founders of the government, with that prophetic foresight which is at once our admiration and our envy, saw that there must be some place where the majority could be held in curb, some barrier erected between the House of Representatives and the President. The power to gag and suppress the brutal force which could be exerted with or without reason by a relentless majority against a helpless minority might be properly vested in a body like the House of Representatives, but if equally assertive in the Senate would produce dangerous results. With no check anywhere upon the expression of majority will, it would be possible for both Houses of Congress to place in the hands of a partisan President legislation which, passed in haste, would be sorely repented at leisure.

When, inch by inch, the slaveholders in the Senate fell backward toward final defeat, their antagonists sought to speed their downfall by depriving them of the parliamentary defense afforded by the Senate rules. From that day to this the effort to compel a vote by majority decision has been repeated with more or less persistency and radicalism. It is worth noting, however, that arguments which lacked neither in ability nor forceful presentation have not yet convinced the Senate that a change is desirable. Even the most modified form of clôture finds no support except among the few. The strongest argument in favor of departing from conservative methods has probably been made by Senator Lodge, of Massachusetts. "To vote without debating," he says, "may be hasty, may be ill-considered, may be rash, but to debate and never vote is imbecility." If the premises of this forcible statement were correct, the conclusion would be irresistible. The trouble is, however, that the intimation that the Senate never votes is not warranted by the facts. Neither is it true, as once asserted, that the rules of the Senate make it nearly impossible to do business. On the contrary,

the record of work done favors the Senate as against the House. In the Fifty-fourth Congress, the Senate passed 1,682 bills and joint resolutions, the House 1,200. In the Fifty-third Congress the figures were 1,086 and 951 respectively; and in the Fifty-second, there were 1,350 bills and joint resolutions to the credit of the Senate as against 990 for the House. The same result could be shown in any Congress. The rules of the Senate, therefore, do not obstruct legislation. More than this, it can be positively asserted that no measure of transcendental importance to the country, which commanded the earnest and aggressive support of a majority of the Senate and had behind it a positive public opinion, has ever failed to pass that body. If persistent, strenuous opposition finally prevails, it is because of grave defects in proposed legislation. The failure of the so-called Force bill is often cited as a victory for the minority—as one occasion where senatorial methods thwarted the majority will. Nothing could be further from the truth. The Force bill, at the close of a long and exceedingly bitter struggle, was displaced and another measure substituted for consideration by a direct vote of a majority of the Senate.

Unlimited debate, as I have shown, does not prevent the transaction of business. It does put a check upon hasty voting. Is this to be deprecated? The pages of legislative history answer the question in the negative. Take the force bill just mentioned. A House surcharged with riotous partisanship passed it with reckless haste. Had majority rule been uncurbed in the Senate, the menace to individual liberty coutained in the bill, its rigorous provisions and the danger of its far-reaching purpose, could never have been emphasized until the minority was converted into a majority. No one to-day, we imagine, would be willing to assert that the force bill ought to have become a law, with its consequent re-solidification of the South and its brood of sectional ills. But for this same barrier of debate, the legislation of the reconstruction era would have been a blot upon the page of American history. If the minority had not interposed with moderate suggestion and appealing argument, blind passion and unreasoning hate, born of prejudice and fratricidal struggle, would have forged political chains and lacerated old sores until the succeeding rancor and strife would have become intolerable. It was the freedom of debate which punctured the ababsurdities of the Blair educational bill and prevented a romantic scheme for the expenditure of untold millions from being enacted into law. On the other hand, if the repeal of the Sherman law was an admirable thing, that repeal could never have been accomplished if it had been in the power of the majority to speedily force a vote, for when that measure reached the Senate the majority was against it. It was during the progress of the debate that the necessary votes for repeal were won.

If it be claimed that all this is no excuse for the deliberate attitude of the Senate toward the Tariff bill, it must first be proven that there is occasion for apology. The Ways and Means Committee and the House together occupied three months and a half in framing and passing the bill. If the Senate should desire to occupy only the same period, it has still until the 15th day of July before it must needs take the final vote, a date still some time distant. In the House, too, the consideration was largely in the nature of a farce. Only a few of the more than one hundred pages were even read, the remainder being bolted entire, save where the Ways and Means Committee patched up its hurried work by changes made at the last minute. This may be expedition but it is not legislation. It means that the bill went

to the Senate studded with incongruities and filled with errors of fact and of judgment. This is but history repeating itself. When the McKinley bill, which was passed in the same fashion, finally became a law, it contained between 700 and 800 amendments properly and necessarily added in the Senate. As for the Wilson bill, one has only to recall the deficit under which the government has staggered for nearly four years to realize what a mire of distress would have engulfed the country if additional revenue had not been added to the bill through the Senate amendments. In the Senate, too, we gain publicity. Unlike the procedure in the House, every item is subjected to keenest scrutiny. The defence for every increase, the explanation for every reduction, is being made in open court. The inquiries of a vigilant and curious minority are being answered, votes are daily being recorded, responsibility for committee action and individual opinion must be met. All this was deliberately avoided in the House, and would be impossible in the Senate with the institution of a gag law. It would be impossible even with the most modified form of cloture yet devised.

Freedom of debate does not prevent the consummation of imperative legislation; it benefits good laws and modifies or defeats those which are improper; it insures prudent examination, essential thoroughness and most advisable publicity. To its credit also must be placed its educational value. But for the prolonged discussion over the repeal of the Sherman law there would have been no financial issue in the last campaign nor would 6,500,000 voters have followed Bryan to the polls. It has been in the Senate and not in the House of Representatives that all the great campaign issues have been formulated, enlightening the people on public questions. All these are minor factors, however, beside the vital consideration of the safeguard which unlimited debate provides against despotic authority. Enforce a cloture rule in the Senate and there is no forum in the whole scheme of government where the minority can secure equitable rights. "It is the refuge of the minority permanent, abiding, and unchangeable," says Senator Turpie, and he adds that the principle of asylum ought to be as inviolable there as it is in any procedure under international law. Remove the opportunity of the minority to raise its protest, and representative government, in its broadest and fullest sense, is nullified at once. Majority power without proper limitation silences a vast integral part of the country's population and if unbridled and unobstructed in the Senate, as it is in the House, would invite national disaster. There must be some place where the minority can find voice, some platform where the inequalities of popular representation are corrected, some sanctuary where every man is on an equal footing and entitled to the same privilege and consideration, no matter whether he be on the triumphant or losing side. The minority has some rights which the majority is bound to respect, despite the assertions of intolerant victors to the contrary. Otherwise, there can be no acceptable adjustment of conflicting interests, no harmony which is so essential to the continued solidity of the Republic. Against any abandonment of the system which now prevails all the forces of conservatism and stable government solemnly protest.

The millions who believe in the free coinage of silver found their sentiments voiced in the discussion of the repeal of the Sherman law. If that debate could have been prevented by a peremptory vote, the same power would to-morrow suppress the free consideration of some topic even more vital to the American people. Suppose for a moment that the Senate

should in the future be controlled by corporations and trusts, would the masses feel secure if the great weapon of free debate were denied them? Most assuredly not. I agree with Senator Teller when he says that it may become the highest duty, the greatest obligation, of an American Senator to stand and resist, if he be in the minority, until he has brought the majority to a respectful hearing of his case. The trouble is that the House is no longer a deliberative body, but is dominated by partisan influences and by autocratic rules which admit of no freedom of action. An inflamed condition of the public mind, inordinate desire for power, motives of party revenge—all these can easily be potent in securing the passage through the House of measures that would disgrace the statute books. In the Senate, however, the opposition imposes careful consideration. Time, the great precipitator of all turbidity, intervenes and prevents the hasty vote that would send the objectionable law to the White House for the President's action. Washington never said a truer thing than when he likened the Senate to a saucer into which the hot tea of the House was poured to cool.

The barriers which wise custom has erected and long experience has sanctioned, are not to be torn down in a single night because of unthinking and inconsiderate clamor. The forum of free debate, wherein Clay and Webster in the past and others equally able and statesman-like in the present, have displayed their eloquence and intellectuality, is not to lose through ignorance and prejudice all the honor and the glory with which its great debaters have enshrined it. Against an excited, aggressive, and relentless majority the minority will still find a court where it can be heard without stint and without apologizing for its presence. There is still, thank Heaven! a legislative body where the brake of opposition can be applied to blind and unruly haste.

HENRY LITCHFIELD WEST.

ANOTHER WORD ON PRISON LABOR.

THE employment of prison labor so that it will not compete with free labor is a subject that has received during recent years deep consideration from penologists and those interested in prison reform. The system in vogue at the present time should not be condemned without a fair trial.

The objections raised originally by labor organizations, aided and abetted by manufacturers affected directly by prison labor competition, resulted in the adoption of various methods to keep the convicts in the penal institutions of the State employed. At one time the State employed its convicts largely on State lands. Sing Sing prisoners worked the lime deposits at that institution, while at Clinton the iron mines were developed. No objection is raised to this method of employing convicts, and it has been a mystery to many men why it was ever changed. The penal population of 1,200 in the penitentiary on Blackwell's Island, and the average of 2,000 inmates to be found in the Workhouse, have been always employed for the benefit of the county of New York and to this no one has ever objected.

Labor organizations are on record that convicts shall work, but for thirty years they have protested against a system that places criminals in direct competition with free labor. They have insistently and persistently opposed a law that allowed the work of convicts to come into competition with the products of the legitimate manufacturer.

It has been clearly shown that, under the contract system, manu-